



United University Professions

NYSUT/AFT/NEA

AFL-CIO

Guide for Professional Employees

- Performance Programs
- Evaluations
- Promotions
- Salary Increases



Welcome

Colleagues,

On behalf of United University Professions, I'm pleased to present to you this *Guide for Professional Employees*.

We in UUP face many challenges that directly impact our lives as professionals. This guide is one resource we can provide to help you pursue your career in SUNY. At the same time, we are working diligently to protect the interests of academics and professionals across our SUNY institutions.

These efforts will continue so that our University becomes, once again, the standard by which all public higher education institutions are compared.

I wish you continued success in your career in SUNY.

In Solidarity,



Frederick E. Kowal
UUP President



Dear Professional,

Welcome to UUP. This guide was developed for all professional employees to use throughout their employment and careers at SUNY.

Three documents are crucial to your success: your appointment letter, your annual performance program and your annual evaluation. These documents impact employment renewals, promotions, salary increases and permanent appointment. It is important to become familiar with the contents of these documents from your first days of employment.

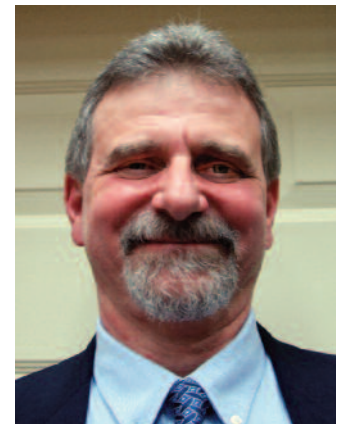
Your appointment letter gives you the terms and conditions of your employment. Your performance program records duties and responsibilities that you are assigned for an annual period. Your annual evaluation is based on your performance of the duties and responsibilities in your performance program. You are encouraged to take an active role in the development of your annual performance program.

Working towards permanent appointment should be your goal from your first day of employment at SUNY. Your chances of being recommended for permanent appointment, promoted and awarded salary increases are also enhanced with satisfactory annual evaluations.

Familiarizing yourself with the contents of this guide and seeking the help of your UUP chapter leaders can increase your likelihood of having a successful career at SUNY. This guide provides information on how that can be achieved.

Tom

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I. Appointment Letter

When you begin employment at a state-operated SUNY campus, you will receive an appointment letter from the college president or the chief administrative officer. *Your appointment letter, and any other subsequent renewal appointment letters, are important documents and should be kept in a safe place.*

The letters will contain the terms of your appointment and must contain these elements:

- Salary level (SL1- SL6)
- NYS payroll title
- Type of appointment (term, temporary or permanent appointment)
- Duration of appointment (start and end dates)
- Basic annual salary or rate of direct compensation
- Effective date of your appointment
- Whether you qualify for health insurance and other benefits (if you are a part-time employee)
- The name of your immediate supervisor

You should review your appointment letter when you receive it and ask for clarification on any items about which you have questions. Your UUP chapter is also a resource for any questions you may have about your appointment letter.

A. Types of Appointments

It is imperative that you be aware of your appointment type. The types of appointments for employees are outlined in *The State University of New York Policies of the Board of Trustees - Article XI - Appointment of Employees.*

Permanent appointment may be granted to a professional after completing seven consecutive years of full-time service, with the last two years served in that professional title. You may request early consideration for permanent appointment upon completion of three or four consecutive years. The last year must be in the title. (*Policies of the Board of Trustees, Title C. Permanent Appointment*)

Term appointment may be given to any person. It is for a specified period of not more than three years, which

automatically expires at the end of that period unless terminated earlier because of resignation, retirement or termination.

Special note for part-time employees with four or more consecutive semesters of service:

Part-time employees are ordinarily given a temporary appointment when initially hired. However, further employment of part-timers who have served four consecutive semesters shall be on the basis of a term appointment. (*Policies of the Board of Trustees, Title D. Term Appointment*)

Five-year term appointments are granted for professional titles listed in Appendix A of the Policies. (*Policies of the Board of Trustees, Title D. Term Appointment*)

Athletic appointments: Appendix B titles

- Division I campuses—Athletic director and staff shall be appointed for a year to a maximum of five years.
- Division I Revenue and Non-Revenue Producing Sports—Coaching titles receive a term appointment of one year to a maximum term appointment of five years, provided their coaching and coaching-related duties account for 75 percent or more of their professional obligation.
- Division III sports whose coaching and coaching-related duties account for 75 percent or more of their professional obligation shall receive an appointment of one year up to a maximum term appointment of three years for the first four years of employment. (If the professional obligation contains less than 75 percent coaching or coaching-related duties, then an employee should receive a regular appointment.)

Following the fourth year, employees with athletic appointments shall receive a term appointment of three years. (*Policies of the Board of Trustees, Title D. Term Appointment*)

Fundraising titles in Appendix C receive an appointment of one year to a maximum term appointment of three years. Following the fourth year of employment, these employees receive a minimum term appointment of three years. (*Policies of the Board of Trustees, Title D. Term Appointment*)



Probationary appointment is for a period of one year. A probationary appointment must be granted to a professional employee holding a professional title in which permanent appointment may be granted when the employee is appointed to a different professional title or to a professional title in Appendix A. (*Policies of the Board of Trustees, Title E. Probationary Appointment*)

Temporary appointment may be terminated at any time. Temporary appointments are ordinarily given only when service is to be part-time, voluntary or anticipated to last for one year or less, or when the initial appointment is made to a position vacated by a professional employee who is serving a probationary appointment, or when a position has been vacated by an employee on an approved leave. (*Policies of the Board of Trustees, Title F. Temporary Appointment*)

As illustrated, the types of appointments for professional employees have various definitions. It is important to understand completely all of the requirements and conditions relating to your appointment. To see the exact appointment language, refer to *Article XI, Appointment of Employees*, in the *SUNY Policies of the Board of Trustees*. The policies are easily accessible on the UUP website. Go to www.uupinfo.org, click on CONTRACT and scroll down to SUNY POLICIES.

UUP is here to help. You can contact your UUP chapter leaders directly, or you can email your questions to us via the UUP website.

II. Performance Programs

The annual performance program is a written document that identifies those aspects of your duties and responsibilities assigned for a one-year duration. It is not a job description. The performance program is a result of discussions between you and your immediate supervisor.

Your first written performance program is provided to you within 45 days of your initial date of employment. A new performance program is provided yearly, or whenever your duties and responsibilities change, after promotions or as conditions warrant.

Your performance program is the official record of your assigned professional obligation and is placed in your official personnel file.

You must also receive a copy. Your annual evaluations are based on the duties and responsibilities assigned in your performance program.

Here are some things you should keep in mind as your performance program is being developed:

- Take advantage of the consultations with your immediate supervisor prior to the final preparation of your performance program. Ask questions and request clarification on anything in your program that is unclear.

Ask that continuing professional development and training be included, if needed.

- Make sure you have a clear understanding of supervisory and functional relationships.
- Make sure you understand the criteria for evaluating the achievement of each aspect of your written assignment.
- Make sure you understand the tasks, if any, you will be required to perform over the next 12 months. Make sure the timelines for achieving your objectives are reasonable.
- If secondary sources are identified as individuals who will evaluate your performance, make sure you know who they are, what part of your program on which they will be consulted, and why secondary sources are included.
- Take advantage of an informal, ongoing evaluation process with your immediate supervisor. If you are having difficulty with aspects of your program, discuss it with your immediate supervisor at the earliest opportunity.
- If additional duties are added to your performance program, ask for others to be removed, or ask for a salary increase.

Here are some things to avoid when developing your performance program:

- Statements of duties that are not described, such as “any duties as assigned.” You cannot be evaluated on something you are not specifically told in writing.
- General or passive descriptions of your duties, such as “responsible for all activities in residence hall, lab, department,” etc.
- Duties and responsibilities that you have no authority or resources to carry out.



- Duties and responsibilities that are controlled by someone else.

The next step to establish your performance program is for your immediate supervisor to put everything discussed in writing and to provide you with a copy. Make sure the document is accurate and reflects what you have discussed with your supervisor. Your supervisor has the final authority to determine the elements of the performance program.

You and your supervisor will sign the performance program. Your signature only acknowledges that you received it. You should attach a written statement to the performance program within 10 working days of receipt if you object to any part of it, or need to clarify your understanding of it.

A copy of the performance program (and your written statement if submitted) is placed in your official personnel file. *You should keep a copy for your own file.*

You will receive a new performance program each year, even if there are no changes to it, or as conditions warrant.

It is not uncommon for changes to be made to your performance program during the year. When changes occur, a new performance program may be written and the new items included. If the changes are not reflected in the performance program, you can be directed to perform them, but you cannot be evaluated on them. You may be eligible for a promotion, salary increase, extra service compensation or compensatory time.

If your immediate supervisor changes, your new immediate supervisor must be identified to you in writing within 30 days. It is important to review your duties and responsibilities with your new immediate supervisor to ensure you know your new immediate supervisor's expectations and vice versa.

Keep in mind that your performance program is intended to reflect 100 percent of the job you were hired to do for a one-year period. It is also important to understand that management is not responsible to compensate you for any extra duties you assign to yourself. When you need to work beyond your professional obligation, speak to your immediate supervisor first to get the approval to do so—and the compensation (whether compensatory time or overtime) that is appropriate because it is assigned.

If you have not received your performance program,

you should speak to your immediate supervisor so one can be developed. If you still do not receive one, then you can speak to your UUP chapter leaders for help. It is the policy of SUNY that employees are evaluated. You cannot be evaluated without a written performance program. And, in fact, not having a performance program in place by the deadline is grievable under Article 7 of our contract.

III. The Annual Evaluation Based on the Performance Program

The purpose of the evaluation is to:

- Provide the college president with consultation in his/her decision to renew or non-renew an employee's appointment.
- Provide a base for performance improvement.
- Serve as a guide to re-evaluate job functions.
- Provide the college president with consultation as to promotions, salary increases and discretionary salary increases.
- Provide a basis for career growth.

The criteria for the evaluation, as specified in the *Policies of the Board of Trustees - Article XII - Title C*, include, but are not limited to:

- Effectiveness in performance—as demonstrated, for example, by success in carrying out assigned duties and responsibilities, efficiency, productivity and relationship with colleagues.
- Mastery of specialization—as demonstrated, for example, by degrees, licenses, honors, awards and reputation in professional field.
- Professional ability—as demonstrated, for example, by invention or innovation in professional, scientific, administrative or technical areas; i.e., development or refinement of programs, methods, procedures or apparatus.
- Effectiveness in University service—as demonstrated, for example, by such things as college and University public service, committee work and involvement in college or University related student or community activities.
- Continuing growth—as demonstrated, for example, by continuing education, participation in professional



organizations, enrollment in training programs, research, improved job performance, and increased duties and responsibilities.

Your evaluation is based solely on the items specified in the performance program that was developed for the evaluation period. Your immediate supervisor will provide you with a preliminary written evaluation, as well as a new performance program.

The preliminary evaluation may include a summary of information received from secondary sources, and identification of how well you performed each aspect of your performance program.

The evaluation may contain recommendations for personnel actions, for example, reappointment, promotion, salary increase or discretionary salary increase.

The summary of your evaluation can only be characterized as “satisfactory” or “unsatisfactory.”

You and your immediate supervisor should meet to discuss the evaluation and recommendations. You should review everything in the written preliminary evaluation. Tell your immediate supervisor if there are aspects of the preliminary written evaluation with which you do not agree. Perhaps the wording can be changed to provide a more accurate reflection of your performance. If this does not occur, you should write your understanding of the items in question and have it attached to the final evaluation. This is important: If you do not express your concerns, the immediate supervisor’s word stands. A final evaluation report will be prepared and you will be provided with a signed, dated copy. You will also receive a new performance program. A copy of each is placed in your official personnel file in Human Resources; your immediate supervisor also retains a copy.

Here are some points to consider during your annual evaluation:

- Ask for clarification if any statements are unclear.
- Sometimes, wording in the evaluation can be changed to provide a more accurate picture of how you performed. You can and should make suggestions for written revisions.
- An evaluation should be used to help you excel and improve in your position and your career.
- Request training/assistance if you believe it’s needed.

- If your previous performance program was overly ambitious, it might be necessary to suggest written revisions and make changes to create a more realistic performance program.
- If you disagree with the evaluation, you should write a rebuttal and attach it to the evaluation.
- If the evaluation is unsatisfactory, you can appeal to your chapter’s Committee on Professional Evaluation. (*Please note: You have up to 10 working days to request a review.*)

Appeal of an Unsatisfactory Evaluation

Where the summary characterization of a final evaluation is “unsatisfactory,” you may, upon written request, ask for a review by the Committee on Professional Evaluation. You should also seek a committee review if the characterization summary is “satisfactory,” but the content of the evaluation is primarily unsatisfactory.

To initiate the appeal, you must notify the chair of the Committee on Professional Evaluation, your supervisor and the college president or designee, in writing, within 10 working days of receipt of the evaluation. The committee reviews the procedure and substance of the unsatisfactory evaluation. Your UUP chapter leaders can guide you through this process.

The committee consists of five members, three of whom are elected at large from the Collective Bargaining Unit represented by UUP and two are appointed by the college president. The committee selects its own chair. The committee has the authority to review materials and procedures. It can review all documents, including prior evaluations and other relevant information in your official personnel file. The committee can interview any individual it considers relevant to the review.

The committee will issue its report within 25 working days of receipt of the appeal. Copies will be sent to you, your immediate supervisor, your supervisor’s supervisor, and the college president. The college president must take action that he/she deems appropriate within 10 working days of receipt of the committee’s report. Written notification of the president’s action will be sent to you, your immediate supervisor, your supervisor’s supervisor and members of the committee. The exact language can be found in the Collective Bargaining Agreement, Appendix A-28.

Appeal of an Unsatisfactory Evaluation

Professional Employee receives an evaluation characterized as “Unsatisfactory”



Professional Employee makes written request for review to the Chair of the Committee on Professional Evaluation, the College President or designee, and Immediate Supervisor within 10 days of receipt



Committee on Professional Evaluation concludes review within 25 working days from the date of appeal



Committee on Professional Evaluation makes recommendation to College President



IV. Promotions and Salary Increases

There are six salary levels for professional employees: SL-1 to SL-6. The higher the salary level, the more responsibility given the position. Your SL rank and NYS payroll title are included in your appointment letter. This is important information for you to know if you pursue a promotion or salary increase because the duties and complexity of your job increases.

There is nothing in the Collective Bargaining Agreement or the SUNY Board of Trustees Policies that prohibits you from requesting a promotion or salary increase whenever you feel you deserve one. If you believe a promotion or salary increase is warranted, it is important for you to understand what they are and decide which one to pursue before making the request.

A **promotion** is an increase in a professional employee's basic annual salary, accompanied by a movement to a higher salary level with a change in title.

A **salary increase** is given if a professional employee is assigned a permanent and significant increase in duties and responsibilities as demonstrated by the performance programs.

The difference: You can receive a salary increase without a promotion, but you cannot receive a promotion without a salary increase.

While you can ask for a promotion or salary increase at any time, one of the best times to do so is during your annual evaluation.

Here are the steps for requesting a promotion or salary increase:

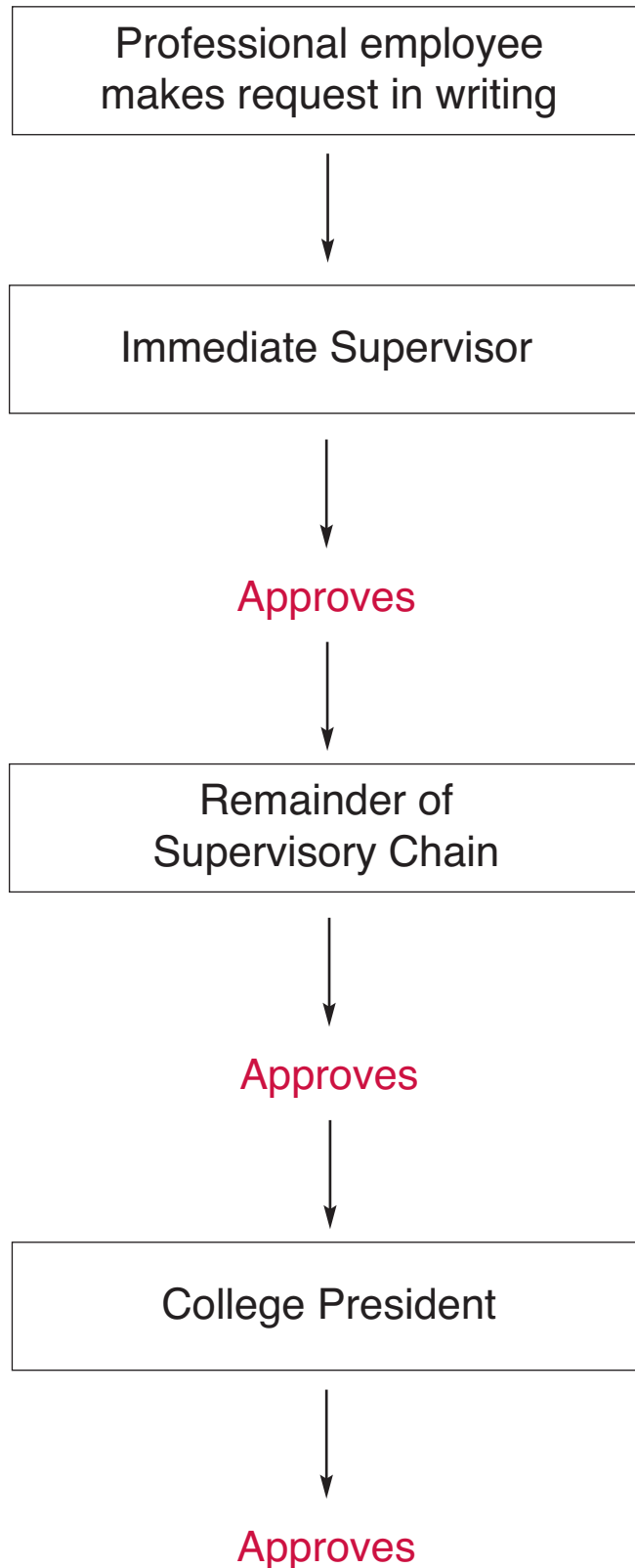
- Make your request in writing to your immediate supervisor.
- Your supervisor has 45 calendar days to give you a response.

- If your request is denied at any level below the college president, you can appeal the denial to the College Review Panel (the College Review Panel is a committee of five to seven members elected at each campus by professional employees in the Bargaining Unit).
- If you have not received an answer before the 45-day time limit has passed, your request is considered a denial and you can appeal to the College Review Panel.
- If the College Review Panel determines that a promotion or salary increase is warranted, it will forward its recommendation to the college president. You will be informed in writing.
- You will be informed in writing if the College Review Panel determines the promotion or salary increase is unwarranted.
- The college president has 90 calendar days to render a decision.
- If the college president denies the promotion or if you do not receive a response, you can appeal to the University Review Board. (An appeal to the University Review Board is at the level of the Chancellor.)
- If the University Review Board denies your appeal, you may not reapply for a promotion or salary increase for 18 months, or until your performance program changes, whichever occurs sooner.

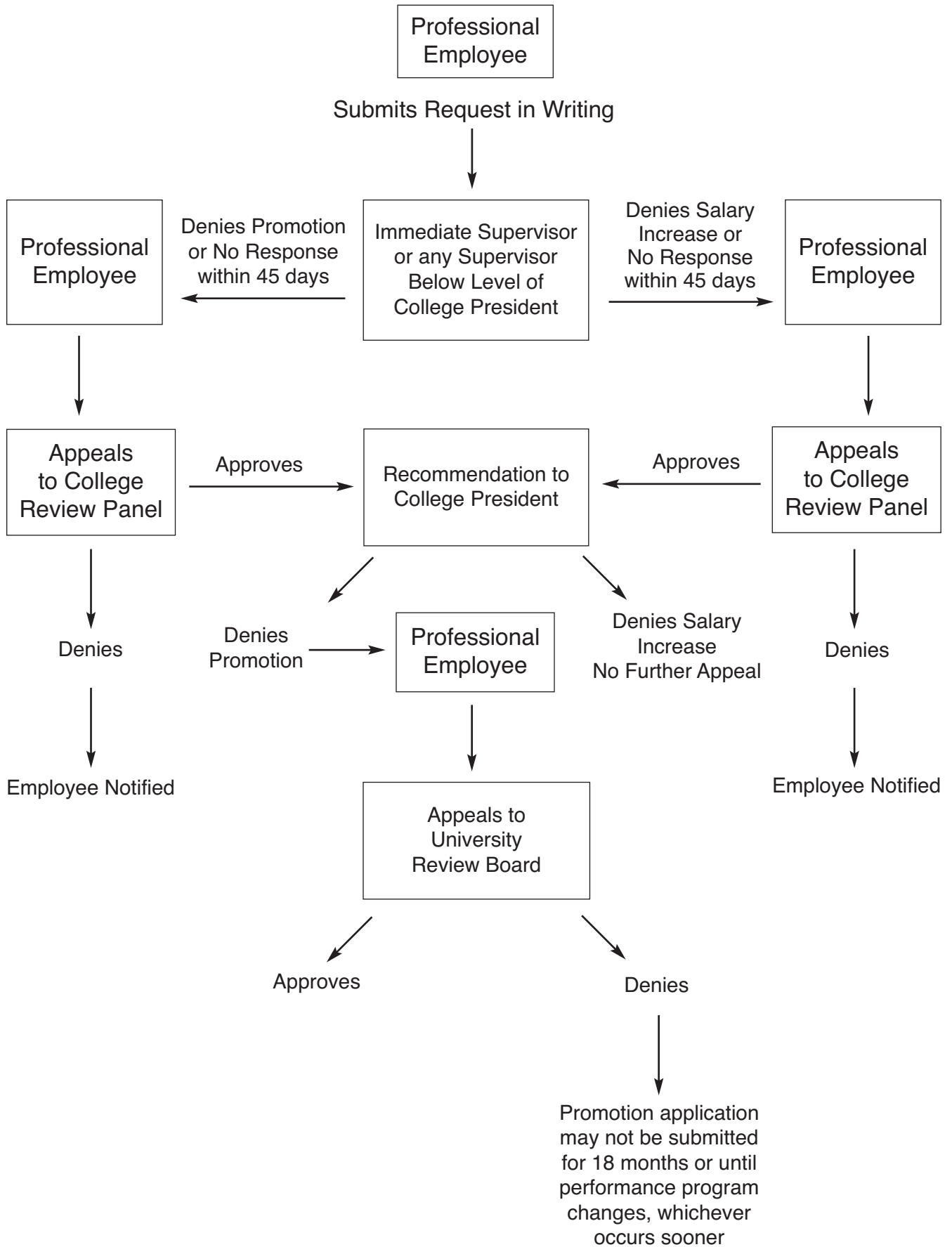
Hopefully, you have received your promotion or salary increase and are preparing for your next one. If not, take the opportunity to ask your immediate supervisor, colleagues and UUP chapter leaders what you might do to get promoted or to receive a salary increase.

Above all, don't give up.

Promotion & Salary Increase Flow Chart



Promotion & Salary Increase Flow Chart



Important Phone Numbers and Websites

| | | |
|---|--|------------------------|
| UUP Benefit Trust Fund | www.uupinfo.org (click on Member Area) | (800) 887-3863 |
| PO Box 15143, Albany, NY 12212-5143 | | Fax: (866) 559-0516 |
| UUP Member Services | www.uupinfo.org (click on Member Area) | (800) 342-4206 |
| UUP Retiree Services | www.uupinfo.org (click on Retirement) | (800) 342-4206 x638 |
| Delta Dental (Group #165) | www.deltadentalins.com/uup | (800) 471-7093 |
| PO Box 2105, Mechanicsburg, PA 17055-2105 | | |
| Davis Vision | www.davisvision.com | (800) 999-5431 |
| PO Box 1525, Latham, NY 12210 | | |
| Davis Vision Laser Vision Correction (Client Code 7512) | | (800) 584-2866 |
| NYSUT Member Benefits Trust | | (800) 626-8101 |
| 800 Troy-Schenectady Road, Latham, NY 12110 | | |
| AFT Plus Member Benefits | www.aft.org | (800) 238-1133 x8643 |
| 555 New Jersey Ave., NW, Washington, DC 20001 | | |
| The Empire Plan (NYSHIP) | www.cs.ny.gov/ebd | (877) 769-7447 |
| United HealthCare | | Press 1 |
| Empire Blue Cross Blue Shield | | Press 2 |
| Mental Health & Substance Abuse | | Press 3 |
| Prescription Plan | | Press 4 |
| NurseLine | | Press 5 |
| HMOs | | Call your specific HMO |
| Retirement Systems (Pensions) | | |
| • NYS Employees' Retirement System | www.osc.state.ny.us | (866) 805-0990 |
| • NYS Teachers' Retirement System | www.nystrs.org | (800) 348-7298 |
| • Optional Retirement Programs | | |
| Fidelity | www.netbenefits.com/SUNY | (800) 343-0860 |
| TIAA | www.tiaa-cref.org | (800) 842-2776 |
| VALIC | www.valic.com | (800) 448-2542 |
| VOYA | www.voya.com | (800) 584-6001 |
| NYS Deferred Comp. Plan 457(b) | www.nysdcp.com | (800) 422-8463 |
| NYS Dept. of Civil Service/Benefits | www.cs.ny.gov | (800) 833-4344 |
| Workers' Compensation (Legal Representation) | | |
| Fine, Olin and Anderman | www.foalaw.com | (866) 362-4887 |
| Flex Spending Accounts | www.flexspend.ny.gov | (800) 358-7202 |
| Adoption Advantage Account | | |
| Dependent Care Advantage Account (DCAA) | | |
| Health Care Spending Account (HCSA) | | |
| NYS/UUP Joint Labor/Management | www.nysuup.lmc.ny.gov | (518) 486-4666 |
| NYS Tax Information (Pension/Annuities) | www.nystax.gov | (800) 255-5829 |

Resources

Agreement between UUP and NYS

Article 5—Policies

Article 30—Appointment, Evaluation and Promotion

Article 31—Personnel Files

Article 32—Notice of Non-Renewal

Appendix A-28—Memoranda of Understanding Relating to Evaluation
and Promotion for Professional Employees

Appendix A-29—Compensatory Time Off

SUNY Policies of the Board of Trustees

Article XI—Appointment of Employees

Appendix A to Article XI—Professional Titles

Appendix B to Article XI—Athletic Titles

Appendix C to Article XI—Fundraising Titles

Article XII—Evaluation and Promotion of Academic and Professional Employees
Title C. Evaluation and Promotion of Professional Employees

Article XIV—Terminations of Service

Article XIX—Applicability



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